applying stucco onto the backup coated preform to produce a stuccoed, backup coated preform,

drying the stuccoed, backup coated preform,

removing the expendable preform from the backup coated preform to produce a green shell mold, and

heating the green shell mold to a temperature sufficient to produce a fired ceramic shell mold.

36(original). The method of claim 35 wherein at least one of the colloidal silica sols is modified by latex polymer.

Remarks

Reconsideration of this application is respectfully requested. Claims 1-36 remain in this application.

Claim 1 has been amended to encompass additional patentable aspects of applicants' invention. No new matter is presented. Present claim 1 is fully supported by the specification.

Claims 2 and 3 which each depends from claim 1 have been rejected under 35 U.S.C. 112, second paragraph, as indefinite.

Applicants respectfully submit that original claims 2 and 3 fully comply with 35 U.S.C. 112, second paragraph. In order to expedite prosecution, however, claims 2 and 3 have been amended as to each of the first and second sols recited in claim 1. None of the amendments to claims 2 and 3, however, are considered narrowing amendments for purposes of patentability. In contrast, the present amendments to claims 2 and 3 are considered tangential to patentability.

Claims 1-36 have been rejected under 35 U.S.C. 102(e)/(f)/(g) as anticipated by Vandermeer (USP 6814131).

The present application is a continuation-in-part of US Patent Application USSN 10/005881, now US patent 6814131 (Vandermeer). The present application was filed on December 30, 2003. The present application therefore was filed during

copendency with US Patent Application USSN 10/005881 that was later granted as US patent 6814131 (Vandermeer) on November 9, 2004. Vandermeer therefore is not prior art against the present application under 35 U.S.C. 102(e)/(f)/(g).

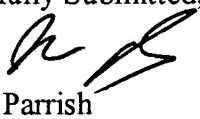
Assuming *arguendo* that Vandermeer is prior art under 35 USC 102(e)/(f)/(g), then this nevertheless would not preclude patentability. As codified at 35 USC 103 (c), subject matter developed by another person which qualifies as prior art only under one or more of subsections (e), (f), and (g) of 35 USC 102 shall not preclude patentability where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person. Here, Vandermeer as well as the claims of the present application, at the time the present application was filed in the USPTO, were owned by Buntrock Industries, Inc. Vandermeer therefore is disqualified as prior art for rejection of any of claims 1-36. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 1-36 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-17 of U.S. Patent No. 6,814,131.

Applicants attach a terminal disclaimer that obviates this rejection. Reconsideration and withdrawal of this rejection is respectfully requested.

Applicant respectfully requests that a timely notice of allowance be issued in this case.

Respectfully Submitted,



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